

University of North Dakota in 2002. Last month, Rae Ann received her master's degree in nursing. After hearing about all of Rae Ann's accomplishments, and about the adversity she's overcome, it will come as no surprise to my colleagues that she plans to continue her education by enrolling in law school this fall.

When so many stories exist about the tremendous obstacles Native Americans face—in getting an education, gaining access to health care, and improving their quality of life—it is important for all of us to recognize success stories like Rae Ann's. Not only is Rae Ann a role model for her tribe, she is an example for all people who face adversity as they strive to fulfill their dreams. I would like to extend my personal congratulations on her recent achievement, and wish her the best of luck in all her future endeavors.

U.S. AID AND TERRORISTS

Mr. MCCONNELL. Mr. President, I want to take a very brief moment to speak to an article entitled "U.S. Aid Goes to Terrorism Backers" that appeared in today's edition of the Washington Times.

The allegation that American foreign assistance dollars in the West Bank and Gaza are going to Palestinian groups "working with or fostering terrorist-supporting organizations" is a serious one. The United States Agency for International Development, USAID, and the U.S. Department of State must immediately clarify these troubling reports, and I urge them to do so in an expeditious and public manner.

My colleagues should note that we already require the Secretary of State to ensure that no assistance for the West Bank and Gaza goes to, or through, individuals or entities "the Secretary knows or has reason to believe advocates, plans, sponsors, engages in, or has engaged in, terrorist activities."

I will have more to say on this issue once USAID and the State Department clarify this matter.

LOCAL LAW ENFORCEMENT ACT OF 2003

Mr. SMITH. Mr. President, I rise today to speak about the need for hate crimes legislation. On May 1, 2003, Senator KENNEDY and I introduced the Local Law Enforcement Enhancement Act, a bill that would add new categories to current hate crimes law, sending a signal that violence of any kind is unacceptable in our society.

In January 2000, a gay Mississippi man, was murdered by Brett David Kabat. Tolbert was kidnapped from a Biloxi gay bar and brutally strangling him and beating him to death before dumping his body in Alabama and stealing his truck. Because his friends say Tolbert was gay, was last seen at a gay bar, and the nature of his murder was particularly brutal, it is believed

that Tolbert was targeted because he was gay. When Tolbert's body was discovered, he was beaten beyond recognition with just a few teeth left in his mouth.

I believe that Government's first duty is to defend its citizens, to defend them against the harms that come out of hate. The Local Law Enforcement Enhancement Act is a symbol that can become substance. I believe that by passing this legislation and changing current law, we can change hearts and minds as well.

WORLD DAY AGAINST CHILD LABOR

Mr. HARKIN. Mr. President, it is with a sense of sorrow that I rise today to speak about the practice of abusive and exploitative child labor, as well as to recognize World Day against Child Labor, which occurred on June 12. Unfortunately, hundreds of millions of children are still forced to work illegally for little or no pay. The International Labor Organization has set aside this day to give a voice to these helpless children who toil away in hazardous conditions.

We should not only think about these children on June 12. We should think about this last vestige of slavery every day. I have remained steadfast in my commitment to eliminate abusive and exploitative child labor. It was in 1992 that I first introduced a bill to ban all products made by abusive and exploitative child labor from entering the U.S.

Since I introduced that bill, we have made some progress in raising awareness about this scourge. In June of 1999, ILO Convention 182, concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labor, was adopted unanimously in the ILO and here in the U.S. Senate. This was the first time ever that an ILO convention was approved without one dissenting vote. In record time the Senate ratified ILO Convention 2 with a bipartisan, 96-0 vote.

For the first time in history the world spoke with one voice in opposition to abusive and exploitative child labor. Countries from across the political, economic, and religious spectrum—from Jewish to Muslim, from Buddhists to Christians—came together to proclaim unequivocally that abusive and exploitative child labor is a practice which will not be tolerated and must be abolished.

Gone is the argument that abusive and exploitative child labor is an acceptable practice because of a country's economic circumstances. Gone is the argument that abusive and exploitative child labor is acceptable because of cultural tradition. And gone is the argument that abusive and exploitative child labor is a necessary evil on the road to economic development. When this convention was approved, the United States and the international community as a whole laid those arguments to rest and laid the groundwork

to begin the process of ending the scourge of abusive and exploitative child labor.

As of today, 50 countries have ratified ILO Convention 182. In fact, since the ILO was established in 1919, never has one of its treaties been ratified so quickly by so many national governments.

In May of 2000, the Senate enacted the Trade and Development Act of 2000. This act included a provision I authored that requires more than 100 nations that enjoy duty-free access to the American marketplace to implement their legal commitments to eliminate the worst forms of child labor in order to keep these trade privileges.

In 2001, Congressman ENGEL and I, along with the chocolate industry, negotiated the Harkin-Engel Protocol. This plan addresses abusive and exploitative child labor within the cocoa and chocolate producing countries of West Africa. This agreement will for the first time make possible the ability to publicly certify that cocoa used in chocolate or related products has been grown and processed without abusive child labor. This historic agreement represents a true partnership between industry and government to stamp out abusive and exploitative child labor.

In an effort to continue to raise awareness, last month the first Children's World Congress about Child Labor was held in Florence, Italy. The Congress was organized by the Global March and my good friend Kailash Satyarthi. At this conference child delegates from all across the world joined with the common purpose of discussing and raising awareness about the atrocities of abusive child labor. I would like to commend Kendra Halter, one of my constituents, from Iowa City, who was selected to participate as a U.S. delegate to the Congress.

The child delegates participated in workshops and were allowed to question foreign leaders and government officials from various countries to include the United States. The Congress produced a declaration that stressed the need for governments to take direct action combating this issue by providing free quality education. The declaration also calls for parents and youth of all countries to get involved in the spreading of awareness of this scourge.

In spite of all of these successes there is much more to be done. Currently, according to the ILO, there are 246 million child laborers in the world. 73 million of those are under the age of 10, and approximately 22 thousand children die in work related accidents every year. Abusive and exploitative child labor is prevalent in many parts of the world, including in our backyard.

In the June 10 edition of the Washington Post, the issue of abusive child labor once again made the headlines. The article brings to light the troubled life of a child aged 14 and his family as they labor dangerously in the sugar

cane fields of El Salvador. The young boy has been working in the fields for more than half of his life. His four brothers and sisters are also forced to work with him, his youngest brother is nine. Their tiny bodies are gashed by machetes and burned by hazardous fertilizers. These children and hundreds more are denied an education and in turn will be destined to a life of poverty. This is not what should be happening in the 21st century.

In fact, the Bush administration has recently finished negotiating a sub-regional free trade agreement with the Central American countries. El Salvador is one of six countries participating in the Central American Free Trade Agreement or CAFTA. In my view, we should not be negotiating free trade agreements with countries that do not enforce their own labor laws and international standards. Not only is it my view but it is U.S. law.

Abusive and exploitative child labor should be a thing of the past. The United States should not continue to turn a blind eye to this scourge. It is time that we enforce our laws and international standards and ensure that countries are raising their standards on this issue. If we did our part to ensure that children were learning and not laboring, there would not be a need to have a day dedicated to end child labor.

I ask unanimous consent to print in the RECORD declaration to which I referred.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

CHILDREN'S DECLARATION
CHILDREN'S WORLD CONGRESS ON CHILD
LABOUR—10-13 MAY 2004

We are the Present, Our Voice Is the Future!

We, the delegates of the Children's World Congress on Child Labour, have come to the city of Florence, Italy, from all different parts of the world, speaking different languages, growing up with different cultures and backgrounds, because we all know that child labour must be eliminated.

Although our Congress has been successful, we are missing some of our important delegates. These children were already selected to participate in the Congress. But, these children did not get visas necessary to come to Italy because the Italian government thought them as a security risk. These children who were not allowed to attend, felt very discriminated. We all missed their ideas at the Congress, because these children are from the regions where child labour is most common. At the next Congress, we would like to see them participate because their voice is their vision and the world must hear it.

Each country had a different selection process to choose the delegates. All children who participated in the selection process had either faced child labour in their own experience or had learned about it and joined the fight against child labour. With the passion and desire to solve this terrible crime against 246 million children around the world, we were all qualified to take part in this Congress. This is why the discussions for the last 3 days have been very fruitful.

What follows in our Declaration is the responsibility, of all including the business

sector and others who hold the power to help us in our struggle.

Before we even start to discuss about child labour, we must appreciate that the only way the children can have their rights is in the situation of peace. Peace is the most basic human right. We have to ask ourselves why everyone is not able to have something so fundamental. While living in peace, every child has not only a better chance of getting their rights, but also has a stronger potential to improve the world for their generations and those to come.

When we started discussing about child labour, we found that many issues were common to all different parts of the world. We heard personal stories from the children about; child trafficking, sexual exploitation, working on fishing boats, cleaning cars, selling things on street or in market, pornography, collecting garbage, transportation and shipping, brick making and demolishing, the making of medical utensils and other dangerous materials, drug trafficking, domestic servants, bounded labourers, farming, mining, weaving carpets, child soldiers, working in factories and sweatshops. These children are misused everyday and have no one to speak for them.

While most people and governments are aware these problems exist, they are hidden or just ignored. This does not change the fact they all are very dangerous to the physical and mental well being of a child. These forms of child labour must be stopped.

Most of the children have expressed that they are losing faith in the governments because of their empty promises. They have made many promises to end child labour through education and better social services. But they do not act. Their promises are not met with real commitment or resources.

While the governments put an enormous amount of money to weapons and war, there are still children who cannot read or write. They have no homes to live in or food to eat. The government must take the needs of children as a priority. They must provide all that is necessary to live while still protecting our rights.

As it is a responsibility of governments to protect our rights, end child labour, and provide free, equal education or good quality, we have many demands for the governments. When we speak about the governments, we talk not only about the role of national governments but also other governmental bodies at international and regional levels that are responsible for protecting our rights.

First and most importantly, governments must listen to children. The governments make the issues of the children a priority and include the children in the decision-making that affects our lives. Governments must also provide opportunities for children to participate and express their opinions because they are the future as well as the present and their opinion should be valued.

Governments must criminalise child labour but should never criminalise the children. The children are victims of child labour. They must create and carry out laws that strictly punish the adults who have abused children for their own interest. Governments must support the children if they want to bring the cases of them being used as child labourers to court, by providing a free attorney. Children should be able to turn in the people who have abused them without fear of getting trouble. Instead, these children should be rescued and rehabilitated.

Governments must fight against trafficking of children. They must enforce the laws they already have. But today's laws may not be enough so they must make more effective ones. The governments in countries where trafficking happens must work to-

gether to have laws which can criminalise the traffickers.

Governments must provide compulsory education of quality at free of cost. Schools must provide skilled teachers who are qualified. There should be a mechanism to check that the teachers are doing their job well and these laws to provide education for all children are enforced. The teachers must get paid better. Education must also be provided equally to all children regardless of gender, race, economic status, religion, places of birth, citizenships, caste, disability, indigeneity or languages.

Every country has to make sure the issue of child labour is taught in every school.

Governments should encourage adults to work. Adults should work so they have enough money not to put their children to work. The rights of adults as workers have to be respected. Adult workers always have to be allowed to unionise in their workplace, because the union can help protect them from dangerous working conditions and provide them the minimum wage. It is important that adults are protected as workers so that the children do not have to work.

Governments must establish a National Plan of Action to end child labour. These plans should be made together with children.

Governments must make sure that overseas development aid (ODA) goes directly to its purpose and does not end up in the wrong hands.

Governments must make a system to put some trademarks for the products that are not made by child labourers.

Governments, not only should they work with other governments, they should also work with civil society and trade unions to be at most effective. In return, the civil society must understand the demands of the children and work together with us to watch them closely so that the governments will not fail us again. NGOs also have to use the resources that they have honestly and directly for the children.

It is also parents' responsibility to listen to children.

The children need love, respect and dignity. It is in the hands of parents to provide with happy and stable family life. Parents must take their responsibility and vote. When they vote, they must also speak for the children and vote for someone who respects child rights. If the parents are not acting in the best interest of the child, the state must act on the child's behalf. Parents must talk about issues such as child sexual exploitation or abuse even when they are not comfortable because this is the only way a child will know his or her natural rights of safety and security. Parents must understand the importance of a proper education no matter of the gender of the child.

Having identified the current situation of child labour and our demands to the adults, we now show our commitment and the role in ending child labour.

We, the children, have to start initiatives to spread awareness about child labour in our own local communities and villages. We must educate each other about child labour, from a child to a child to promote child participation.

We must work at national level and establish a Children's Parliament, in every country, that is not just a symbol but a source of power for children to change the situations that we think are wrong. This Parliament would elect a representative to the country's government. These representatives would also meet at a congress at regional and at international to look at the problems at a larger scale, and report back to their governments and local communities.

We have to start a network of children so that we can keep contact with each other to

be educated on the issue all over the world. Only while working together, we can have the power to take action and to end child labour. This network will be made up of children from all over the world, and it will spread the stories of child labour and opinions. The network will help us plan more effective actions in our struggle against child labour. The network will also be a medium to report on the governments' failing or not failing their promises among the children of the world.

We believe that the use of art, dance, music and drama as a form of expression and means to spread awareness about child labour is very important. These are ways in which children from any background can connect with, understand and enjoy. There are many ways to spread the message against child labour, beyond borders, through performing art.

We must also use media to spread our voices. We would create our own form of media, such as newspaper developed by the children for the children, for us to freely express our opinion. Media also must be more friendly and tell the truth about child labour and help us combat child labour.

We have to bring the efforts to end child labour out to the villages, where the fight is not as strong. Information about child labour sometimes only reaches cities and people in the villages do not have information about the dangers of child labour. We must get them involved.

We promise to continue to take action to eliminate child labour and make a better world for children. Now, we ask all of you to join us, because only together can we truly achieve freedom for all. In this friendship, we will create a healthy and peaceful world for all.

Today, the power is in our hands. We define the future.

We are the present and our voice is the future.

ENERGY BILLS UNDER CONSIDERATION BY THE HOUSE OF REPRESENTATIVES

Mr. JEFFORDS. Mr. President, as the ranking member of the Senate Environment and Public Works Committee, I express my serious concern with several pieces of so-called energy legislation that the House of Representatives is considering this week. This package of bills includes a comprehensive energy bill that differs both from the failed conference report on H.R. 6 and from the Senate energy bill that was introduced on February 12, 2004, and placed directly on the calendar.

These bills are not the product of hearings or of bipartisan consensus between the House and the Senate. The comprehensive energy bill the House is considering is nearly identical to the energy bill conference report we have already defeated. The other bills are equally troubling. They trample States rights and they enact significant new taxpayer subsidies. Most importantly, they are not the right energy policy for America.

I have for many months now said that we should try to reach consensus on targeted pieces of energy legislation. We could pass legislation on issues such as the increased production of renewable motor fuels. We could

enact fiscally responsible extensions of needed energy tax provisions, such as the wind energy tax credit. National electricity reliability standards are another area in which Senator CANTWELL, Senator FEINGOLD and I believe there could be agreement and we could pass a bill. I also believe there are a number of energy efficiency measures that could garner broad support.

But, there should be no agreement on the poor environmental policy that is contained in these bills. The Senate should reject them if they are passed and sent over for consideration.

The omnibus bill the House passed yesterday, H.R. 4503, is identical to the failed conference report on H.R. 6, except for the inclusion of two coal-related provisions that are in the pending Senate bill, S. 2095.

As with the energy bill conference report, nearly a hundred sections of the bill are in the jurisdiction of the Environment and Public Works Committee. We were not consulted on any of these sections, the House has made no effort to fix these provisions, and I have repeatedly raised concerns about them on the Senate floor.

The waiver of liability for MTBE producers is included in the House's bill. The Senate has repeatedly rejected this provision.

The House bill unravels the ozone designation process in the Clean Air Act by delaying compliance with the national health-based air quality ozone standards until the air in the dirtiest city is cleaned up. The House insists on this leftover from the failed energy bill conference report, though changing cities' ozone compliance deadlines under the Clean Air Act doesn't increase our Nation's energy supplies.

This bill also provides unprecedented relief for a single region of the country from application of the entire Clean Air Act, without a hearing.

The House continues to insist that oil and gas exploration and production activities be exempted from the Clean Water Act stormwater program.

The Clean Water Act requires permits for stormwater discharges associated with construction activity. The amendment changes the act to provide a special exemption for oil and gas construction activities from stormwater pollution control requirements.

The scope of the provision is extremely broad. Stormwater runoff typically contains pollutants such as oil and grease, chemicals, nutrients, metals, bacteria, and particulates.

I have told colleagues this before, but EPA estimates that this change would exempt at least 30,000 small oil and gas sites from clean water requirements. In addition, every construction site in the oil and gas industry larger than 5 acres would be exempt as well.

The large sites have held permits for 10 years or more. That is a terrible rollback of current law. I want Senators to imagine trying to explain to constituents why an oil drilling site that had to comply with the Clean

Water Act for 10 years suddenly no longer needs to do so.

The House is scheduled to act today on another bill, H.R. 4517, called the United States Refinery Revitalization Act of 2004. It gives the Department of Energy a lead role in environmental permitting decisions for refineries in a newly designated "refinery revitalization" zone. The Energy Department would get the ability to issue permits and make "federal authorization decisions" under our major environmental laws including: the Clean Air Act, the Clean Water Act, the Safe Drinking Water Act, the National Environmental Policy Act, and our national solid and hazardous waste laws, among others.

The Energy Department would get to make environmental regulatory decisions and set compliance deadlines. This is a classic case of the fox guarding the hen house. Moreover, if a permit is denied, there would only be an appeal to the DOE Secretary and then judicial review in the D.C. Circuit Court. The EPA, which normally makes these decisions, has no role at all.

In an effort to assure Members, there is a savings clause in the bill that is supposed to protect environmental laws. The bill includes language that contradicts the savings clause provisions. It states that if the best available pollution control technology is used at a facility then that facility is in compliance with all environmental permitting requirements. In addition, the role of states is not clear, particularly those with more stringent standards.

While this bill proposes to increase our domestic refining capacity, it will not do so. In fact, it is drafted in a way that will likely reduce our supplies of gasoline and heating oil.

The bill is supposed to restart idled refineries. It defines "idle refineries" as those that have shut down after June 1, 2004. Let me say that again for my colleagues, idle refineries are refineries that shut down after June 1, 2004. These are not refineries that have been mothballed and shut down for many years. These so-called idle refineries could be operating now and then shut down after enactment of the bill in order to game the system. The refineries would seek regulatory relief under a newer, inexperienced regulatory agency, and drive prices even higher by further constraining production. This is a tragic outcome, and certainly not one that expands our Nation's refining capacity.

The House passed another bill yesterday, H.R. 4513, that exempts Federal agencies planning renewable energy projects from the National Environmental Policy Act. Federal agencies would no longer have to identify alternative project locations when they site a renewable energy project. They also would no longer have to examine alternatives to the project other than the actions they propose to take, or the option of doing nothing at all. Like the